



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2nd
See Only

Attorney Docket No. 058856-0102

Applicant: Tatsuya MATSUNAGA et al.

Title: DISPLACEMENT SENSOR HAVING A
DISPLAY DATA OUTPUT

Appn. No.: 09/770,379

Filing Date: 01/29/2001

Examiner: Barry CHOOBIN

Art Unit: 2625

AMENDMENT AND REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents
PO Box 1450

03/18/2005 DBELIAlexandria, VA 22313-1450

01 FC:1201 200.00 DA

Sir:

This is in response to the Non-Final Office Action dated October 6, 2004 (Paper No. 8) and is submitted within the shorten 3 month statutory time limit. Nevertheless, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Amendments to the Claims begins on page 2.

Remarks/Arguments begin on page 6

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Claim Amendments

In this response claims 3, 8, 14 and 21 are written into independent form. and claims 1-2 and 25-28 are cancelled. Inasmuch as claims 3-20 have been indicated as containing allowable subject matter, it is submitted that these amendments place the claims in *prima facie* condition for allowance.

Rejections under 35 USC § 103

The rejection of claims 1-2 and 25-27 under 35 USC § 103(a) as being unpatentable over Yoshii et al. (Yoshii) in view of newly cited Okabe, is rendered moot by the cancellation of these claims.

Conclusion

It is submitted that this application is now in condition for allowance. Favorable reconsideration and allowance of this application are courteously solicited.

Respectfully submitted,

By

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 Substitute for Form PTO-875

Application or Docket Number

09/720.329

CLAIMS AS FILED - PART I

(Column 1) (Column 2)

FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a))		
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 =	*
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 =	*
MULTIPLE DEPENDENT CLAIM PRESENT		(37 CFR 1.16(d))

SMALL ENTITY

RATE	FEES
	\$395
x \$25 =	
x \$100 =	
+ \$180 =	
	TOTAL

OTHER THAN
SMALL ENTITY

RATE	FEES
	\$790.00
x \$50 =	
x \$200 =	
+ \$360 =	
	TOTAL

* If the difference in column 1 is less than zero, enter "0" in column 2.

CLAIMS AS AMENDED - PART II

(Column 1) (Column 2) (Column 3)

AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total (37 CFR 1.16(c))	19	Minus	28	=
Independent (37 CFR 1.16(b))	4	Minus	3	= 1
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$25 =	
x \$100 =	
+ \$180 =	
	TOTAL ADD'L FEE

OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$50 =	
x \$200 =	200
+ \$360 =	
	TOTAL ADD'L FEE

(Column 1) (Column 2) (Column 3)

AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total (37 CFR 1.16(c))	*	Minus	**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDI- TIONAL FEE
x \$25 =	
x \$100 =	
+ \$180 =	
	TOTAL ADD'L FEE

OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$50 =	
x \$200 =	200
+ \$360 =	
	TOTAL ADD'L FEE

(Column 1) (Column 2) (Column 3)

AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
			Minus	=
Total (37 CFR 1.16(c))	*	Minus	**	=
Independent (37 CFR 1.16(b))	*	Minus	***	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

RATE	ADDI- TIONAL FEE
x \$25 =	
x \$100 =	
+ \$180 =	
	TOTAL ADD'L FEE

OTHER THAN
SMALL ENTITY

RATE	ADDI- TIONAL FEE
x \$50 =	
x \$200 =	200
+ \$360 =	
	TOTAL ADD'L FEE

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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